

Chapter 1: Purpose and Background

A. Purpose

The United States has a long history of welcoming immigrants from all parts of the world. The United States values the contributions of immigrants who continue to enrich this country and preserve its legacy as a land of freedom and opportunity. USCIS is proud of its role in maintaining our country's tradition as a nation of immigrants and will administer immigration and naturalization benefits with integrity.

United States citizenship is a unique bond that unites people around civic ideals and a belief in the rights and freedoms guaranteed by the U.S. Constitution. The promise of citizenship is grounded in the fundamental value that all persons are created equal and serves as a unifying identity to allow persons of all backgrounds, whether native or foreign-born, to have an equal stake in the future of the United States.

This volume of the USCIS Policy Manual explains the laws and policies that govern United States citizenship and naturalization.

USCIS administers citizenship and naturalization law and policy by:

- Providing accurate and useful information to citizenship and naturalization applicants;
- Promoting an awareness and understanding of citizenship; and
- Adjudicating citizenship and naturalization applications in a consistent and accurate manner.

Accordingly, USCIS reviews benefit request for citizenship and naturalization to determine whether:

- Foreign-born children of U.S. citizens by birth or naturalization meet the eligibility requirements before recognizing their acquisition or derivation of U.S. citizenship.
- Persons applying for naturalization based on their time as lawful permanent residents meet the eligibility requirements to become U.S. citizens.
- Persons applying for naturalization based on their marriage to a U.S. citizen meet the eligibility requirements for naturalization through the provisions for spouses of U.S. citizens.
- Members of the U.S. armed forces and their families are eligible for naturalization and ensure that qualified applicants are naturalized expeditiously through the military provisions.
- Persons working abroad for certain entities, to include the U.S. Government, meet the eligibility requirements for certain exceptions to the general naturalization requirements.

Volume 12, Citizenship and Naturalization, contains detailed guidance on the requirements for citizenship and naturalization.

Volume 12: Citizenship and Naturalization		
Volume 12 Parts		Guidance
Part A	Citizenship and Naturalization Policies and Procedures	General policies and procedures relating to citizenship and naturalization
Part B	Naturalization Examination	Naturalization examination, to include security checks, interview and eligibility review
Part C	Accommodations	Accommodations and modifications that USCIS may provide in the naturalization process
Part D	General Naturalization Requirements	General naturalization requirements that apply to most lawful permanent residents
Part E	English and Civics Testing and Exceptions	Testing for educational requirements for naturalization
Part F	Good Moral Character	Good moral character for naturalization and the related permanent and conditional bars
Part G	Spouses of U.S. Citizens	Spouses of U.S. citizens who reside in the United States or abroad
Part H	Children of U.S. Citizens	Children of U.S. citizens who may have acquired or derived citizenship stateside or abroad
Part I	Military Members and their Families	Provisions based on military service for members of the military and their families
Part J	Oath of Allegiance	Oath of Allegiance for naturalization, to include modifications and waivers
Part K	Certificates of Citizenship and Naturalization	Issuance and replacement of Certificates of Citizenship and Certificates of Naturalization
Part L	Revocation of Naturalization	General procedures for revocation of naturalization (denaturalization)

B. Background

Upon the adoption of the U.S. Constitution in 1787, the first U.S. citizens were granted citizenship status retroactively as of 1776. Neither an application for citizenship, nor the taking of an Oath of Allegiance was required at that time.¹ Persons only needed to remain in the United States at the close of the war and the time of independence to show that they owed their allegiance to the new Government and accepted its protection.

¹ See Franklin, F. (1906). *The Legislative History of Naturalization in the United States; From the Revolutionary War to 1861*. Chicago: The University of Chicago Press.

The following key legislative acts provide a basic historical background for the evolution of the general eligibility requirements for naturalization as set forth in the [Immigration and Nationality Act \(INA\)](#).

Evolution of Naturalization Requirements Prior to the Immigration and Nationality Act (INA) of 1952	
Act	Statutory Provisions
Naturalization Act of 1790	<ul style="list-style-type: none"> Established uniform rule of naturalization and oath of allegiance Established two year residency requirement for naturalization Required good moral character of all applicants
Naturalization Act of 1798	<ul style="list-style-type: none"> Permitted deportation of foreign nationals considered dangerous Increased residency requirements from 2 years to 14 years
Naturalization Act of 1802	<ul style="list-style-type: none"> Reduced residency requirement from 14 years to 5 years
Naturalization Act of 1891	<ul style="list-style-type: none"> Rendered polygamists, persons suffering from contagious disease and persons convicted of a “misdemeanor involving moral turpitude” ineligible for naturalization.
Naturalization Act of 1906	<ul style="list-style-type: none"> Standardized naturalization procedures Required knowledge of English language for citizenship Established the Bureau of Immigration and Naturalization
The Alien Registration Act of 1940	<ul style="list-style-type: none"> Required the registration and fingerprinting of all aliens in the United States over the age of 14 years

C. Legal Authorities

- [INA 103](#); [8 CFR 103](#) – Powers and duties of the Secretary, the Under Secretary, and the Attorney General
- [INA 310](#); [8 CFR 310](#) – Naturalization authority
- [INA 312](#); [8 CFR 312](#) – Educational requirements for naturalization
- [INA 316](#); [8 CFR 316](#) – General requirements for naturalization
- [INA 332](#); [8 CFR 332](#) – Naturalization administration; executive functions
- [INA 336](#); [8 CFR 336](#) – Hearings on denials of applications for naturalization
- [INA 337](#); [8 CFR 337](#) – Oath of renunciation and allegiance
- [8 CFR 2](#) – Authority of the Secretary of the Department of Homeland Security